

***Appendix I***  
***Section 7 Threatened and Endangered Species***  
***Agency Consultation***

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16613

APR 27 2004

Mr. Rodney McInnis  
Acting Regional Administrator for Protected Resources,  
U.S. Department of Commerce  
National Oceanic and Atmospheric Administration,  
National Marine Fisheries Service  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4213

**Subject: ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT  
REPORT – CABRILLO DEEPWATER PORT PROJECT**

Dear Mr. McInnis:

On September 3, 2003, BHP Billiton LNG International, Inc. submitted an application seeking to own, construct and operate a deepwater port (DWP). The proposed port, known as Cabrillo Port, would be located approximately 14 miles offshore of Ventura County, California. The BHP Billiton application was provided to Mr. Bryant Chesney of your staff on September 9, 2004. The applicant will soon be providing updates of the application to ensure that your staff has the latest information available for your agency's review.

The U.S. Coast Guard (USCG), in conjunction with the California State Lands Commission (CSLC), is preparing an Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the construction and operation of the Cabrillo Deepwater Port Project (Port), a Floating, Storage, and Regasification Unit (FSRU). This deepwater port would be the receiving point for shipments of Liquefied Natural Gas (LNG) from LNG carriers that routinely cross the world's oceans and deliver this product to LNG facilities in North America, Asia and Europe. Through the use of heat exchangers on Cabrillo Port, the LNG would revert back to natural gas for delivery into the existing natural gas pipelines of the Southern California Gas Company.

Preparation of the EIS/EIR is being conducted in accordance with the National Environmental Policy Act (NEPA) of 1969 (Section 102[2][c]) and its implementing regulations, 40 Code of Federal Regulations, Part 1500 and CEQA. The EIS/EIR will address the overall environmental impacts of establishing and operating the Port, including the construction of associated pipelines from the Port to an onshore receiving pipeline system.

In accordance with Section 7 of the Endangered Species Act and the Marine Mammals Protection Act, as amended, our EIS/EIR will analyze the impacts of the Proposed Action on protected species. In order to fully assess the potential impacts associated with the Proposed Action on protected resources, we are requesting a list of species of concern that occur within the region of influence (ROI) and a list of any additional concerns that NOAA Fisheries may have regarding the potential impacts of the Proposed Action on federally listed species or other

APR 27 2004

Subj: ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT  
– CABRILLO DEEPWATER PORT PROJECT

protected species such as marine mammals. We will also consult with the U.S. Fish and Wildlife Service and California Department of Fish and Game regarding the presence of threatened and endangered species under their jurisdiction.

Presently, we do not believe that the Proposed Action would have an adverse impact on essential fish habitat (EFH). As such, and in accordance with Section 305(b) of the Magnuson-Stevens Act, as amended, we do not believe an EFH consultation is required at this time. As stated above, we are currently preparing an EIS/EIR, and we intend to fully assess the potential impacts associated with the Proposed Action on EFH within the region of influence (ROI). Your concerns and comments regarding the construction and operation of the Port and its possible impacts on EFH are important to the USCG.

We look forward to working with your office on this project. Please send any comments/correspondence to the USCG through one of the following methods:

- (1) By mail to:  
Headquarters, U.S. Coast Guard  
Mr. Mark Prescott  
Chief, Office of Deepwater Ports Standards (G-MSO-5)  
Room 1210  
2100 Second Street, SW  
Washington, DC 20593
- (2) Or, by fax at (202) 267-4570
- (3) Or by E-mail to [mprescott@comdt.uscg.mil](mailto:mprescott@comdt.uscg.mil)

Thank you for your assistance. If you have questions about the proposed establishment of the Cabrillo Deepwater Port Project or about the EIS/EIR please contact me at (202) 267-0225.

Sincerely,



MARK PRESCOTT  
Chief, Office of Deepwater Ports Standards Division  
By direction



16613

MAY 5 2004

Ms. Diane Noda  
Field Supervisor, U.S. Fish and Wildlife Service  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, CA 93003

**Subject: ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT  
REPORT – CABRILLO DEEPWATER PORT PROJECT**

Dear Ms. Noda:

On September 3, 2003, BHP Billiton LNG International, Inc. submitted an application seeking to own, construct and operate a deepwater port (DWP). The proposed port, known as Cabrillo Port, would be located approximately 14 miles offshore of Ventura County, California. The applicant will soon be providing you a copy of the application to ensure that your staff has the latest information available for your agency's review.

The U.S. Coast Guard (USCG), in conjunction with the California State Lands Commission (CSLC), is preparing an Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the construction and operation of the Cabrillo Deepwater Port Project (Port), a Floating, Storage, and Regasification Unit (FSRU). This deepwater port would be the receiving point for shipments of Liquefied Natural Gas (LNG) from LNG carriers that routinely cross the world's oceans and deliver this product to LNG facilities in North America, Asia and Europe. Through the use of heat exchangers on Cabrillo Port, the LNG would revert back to natural gas for delivery into the existing natural gas pipelines of the Southern California Gas Company.

Preparation of the EIS/EIR is being conducted in accordance with the National Environmental Policy Act (NEPA) of 1969 (Section 102[2][c]) and its implementing regulations, 40 Code of Federal Regulations, Part 1500 and CEQA. The EIS/EIR will address the overall environmental impacts of establishing and operating the Port, including the construction of associated pipelines from the Port to an onshore receiving pipeline system.

In accordance with Section 7 of the Endangered Species Act, as amended, our EIS/EIR will analyze the impacts of the Proposed Action on protected species. In order to fully assess the potential impacts associated with the Proposed Action on protected resources, we are requesting a list of species of concern that occur within the region of influence (ROI) and a list of any additional concerns that USFWS may have regarding the potential impacts of the Proposed Action on federally listed species.

Subj: ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT  
– CABRILLO DEEPWATER PORT PROJECT

We will also consult with NOAA Fisheries regarding the presence of threatened and endangered species and other protected species such as marine mammals under their jurisdiction and essential fish habitat within the ROI.

We look forward to working with your office on this project. Please send any comments/correspondence to the USCG through one of the following methods:

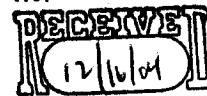
- (1) By mail to:  
Commandant (G-MSO-5)  
Attn: Mr. Mark Prescott  
U.S. Coast Guard Headquarters  
2100 Second Street, SW  
Washington, DC 20593
- (2) Or, by fax at (202) 267-4570
- (3) Or by E-mail to [mprescott@comdt.uscg.mil](mailto:mprescott@comdt.uscg.mil)

Thank you for your assistance. If you have questions about the proposed establishment of the Cabrillo Deepwater Port Project or about the EIS/EIR please contact me at (202) 267-0225.

Sincerely,



MARK PRESCOTT  
Chief, Office of Deepwater Ports Standards Division  
By direction



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



IN REPLY REFER TO:  
PAS 1603.1897.2446

December 15, 2004

Mark Prescott  
Chief, Office of Deepwater Ports Standards Division  
U.S. Coast Guard Headquarters  
2100 Second Street, SW  
Washington, DC 20593

Subject: Species List for Cabrillo Deepwater Port Project, Ventura and Los Angeles  
Counties, California

Dear Mr. Prescott:

We are responding to your request dated [REDACTED] and received in our office on May 11, 2004, for information on listed and proposed threatened or endangered species which may be present in the subject project areas. The U.S. Coast Guard (Guard), in conjunction with the California State Lands Commission, is preparing a joint EIS/EIR for the construction and operation of the Cabrillo Deepwater Port Project; a floating storage, and regasification unit. This deepwater port would be the receiving point for shipments of Liquefied Natural Gas (LNG). Through the use of heat exchangers on Cabrillo Port, the LNG would revert back to natural gas for delivery into existing natural gas pipelines of the Southern California Gas Company.

The enclosed list of species fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (Act). The Guard, as the lead Federal agency for the project, has the responsibility to review its proposed activities and determine whether any listed species may be affected. Because the project is a construction project<sup>1</sup> which requires an environmental impact statement, the Guard has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the Guard determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts with respect to threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the Guard may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

<sup>1</sup> "Construction project" means any major Federal action which significantly affects the quality of the human environment designed primarily to result in the building of structures such as dams, buildings, roads, pipelines, and channels. This includes Federal actions such as permits, grants, licenses, or other forms of Federal authorizations or approval which may result in construction.

Mark Prescott

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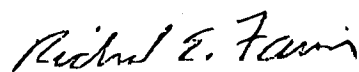
Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) of the Act does not apply until the species is listed or the proposed critical habitat is designated. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species or destroying or adversely modifying critical habitat.

When a proposed species or proposed critical habitat may be affected by an action, the lead Federal agency may elect to enter into formal conference with the Service even if the action is not likely to jeopardize or result in the destruction or adverse modification of proposed critical habitat. If the proposed species is listed or the proposed critical habitat is designated after completion of the conference, the Federal agency may ask the Service, in writing, to confirm the conference as a formal consultation. If the Service reviews the proposed action and finds that no significant changes in the action as planned or in the information used during the conference have occurred, the Service will confirm the conference as a formal consultation on the project and no further section 7 consultation will be necessary. Use of the formal conference process in this manner can prevent delays in the event the proposed species is listed or the proposed critical habitat is designated during project development or implementation.

Candidate species are those species presently under review by the Service for consideration for Federal listing. Candidate species should be considered in the planning process because they may become listed or proposed for listing prior to project completion. Preparation of a biological assessment, as described in section 7(c) of the Act, is not required for candidate species. If early evaluation of your project indicates that it is likely to affect a candidate species, you may wish to request technical assistance from this office.

Only listed species receive protection under the Act; however, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. If you have any questions, please contact Eric Morrisette of my staff at (805) 644-1766.

Sincerely,



Rick Farris  
Division Chief  
Santa Barbara/Ventura/Los Angeles

Enclosure



**LISTED, CANDIDATE, AND PROPOSED SPECIES WHICH MAY OCCUR WITHIN  
THE CABRILLO DEEPWATER PORT PROJECT AREA, VENTURA  
AND LOS ANGELES COUNTIES, CALIFORNIA**

**Birds**

Southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	E
Least Bell's vireo	<i>Vireo bellii pusillus</i>	E, CH
Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T, PCH
Brown pelican	<i>Pelecanus occidentalis</i>	E
Coastal California gnatcatcher	<i>Polioptila californica californica</i>	T, PCH
California least tern	<i>Sterna antillarum browni</i>	E
Western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	C

**Amphibians**

Arroyo toad	<i>Bufo californicus</i>	E
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**Fish**

Unarmored threespine stickleback	<i>Gasterosteus aculeatus williamsoni</i>	E
Tidewater goby	<i>Eucyclogobius newberryi</i>	E
Southern steelhead	<i>Oncorhynchus mykiss irideus</i>	E*

**Plants**

Salt marsh bird's-beak	<i>Cordylanthus maritimus ssp. maritimus</i>	E
Slender-horned spineflower	<i>Dodecahema leptoceras</i>	E
San Fernando Valley spineflower	<i>Chorizanthe parryi var. fernandina</i>	C
Ventura marsh milk-vetch	<i>Astragalus pycnostachyus var. lanosissimus</i>	E

**Key:**

E - Endangered

T - Threatened

CH - Critical habitat

PCH - Proposed Critical Habitat

C - Candidate species for which the Fish and Wildlife Service has on file sufficient information on the biological vulnerability and threats to support proposals to list as endangered or threatened.

\* Species for which the National Marine Fisheries Service has responsibility. For more information, call the Santa Rosa Field Office at (707) 575-6050 or go to <http://swr.ucsd.edu/>

U.S. FISH AND WILDLIFE SERVICE  
VENTURA FISH AND WILDLIFE OFFICE  
2493 PORTOLA ROAD, SUITE B  
VENTURA, CALIFORNIA 93003  
PHONE: (805) 644-1766

FAX: (805) 644-3958



DATE: December 15, 2004

TO: Louise Fynn

Fax: (202) 267-4570

From: Eric Morrissette

Subject: Species List for Cabrillo Deepwater Port Project, Ventura and  
Los Angeles Counties, California

PAGES INCLUDING COVER SHEET: 4



16613  
September 15, 2005

Ms. Diane Noda  
Field Supervisor  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, CA 93003

Dear Ms. Noda:

The U.S. Coast Guard (USCG), in conjunction with the California State Lands Commission (CSLC), prepared a draft Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the construction and operation of the Cabrillo Deepwater Port Project (Port), a Floating, Storage, and Regasification Unit (FSRU) in October 2004. Subsequently, the Applicant has changed portions of their application, including portions of the offshore and onshore pipeline routes. As a result, the document is being recirculated under CEQA.

At this time, we seek to informally consult with the USFWS regarding the presence of threatened and endangered species that may be affected by the proposed changes. Attached are maps of these proposed changes to the pipeline routes. Please note that these routes are being in considered in addition to the ones already described in the October 2004 draft EIS/EIR. The new portion of the onshore route extends from approximately Milepost 12.5 to Milepost 14.7 of the proposed route. The changes to offshore/shore crossing is the inclusion of different pipeline routes and shore crossings for the Arnold Road and Point Mugu/Casper Road shore crossings. We also are requesting an updated list of species of concern that occur within the region of influence (ROI) and a list of any additional concerns that USFWS may have regarding the potential impacts of the Proposed Action on federally listed species.

We look forward to working with your office on this project. Please send any comments/correspondence to the USCG through one of the following methods:

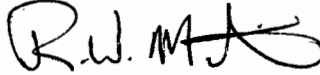
- (1) By mail to:  
Ms. Joan Lang  
Commandant (G-MSO-5)  
U.S. Coast Guard  
Deepwater Ports Standards Division, Room 1210  
2100 Second Street, SW  
Washington, DC 20593
- (2) Or, by fax at (202) 267-4570
- (3) Or by E-mail to [jlang@comdt.uscg.mil](mailto:jlang@comdt.uscg.mil)

16613

September 15, 2005

Thank you for your assistance. If you have questions about the proposed establishment of the Cabrillo Deepwater Port Project or about the EIS/EIR please contact me at (202) 267-2498.

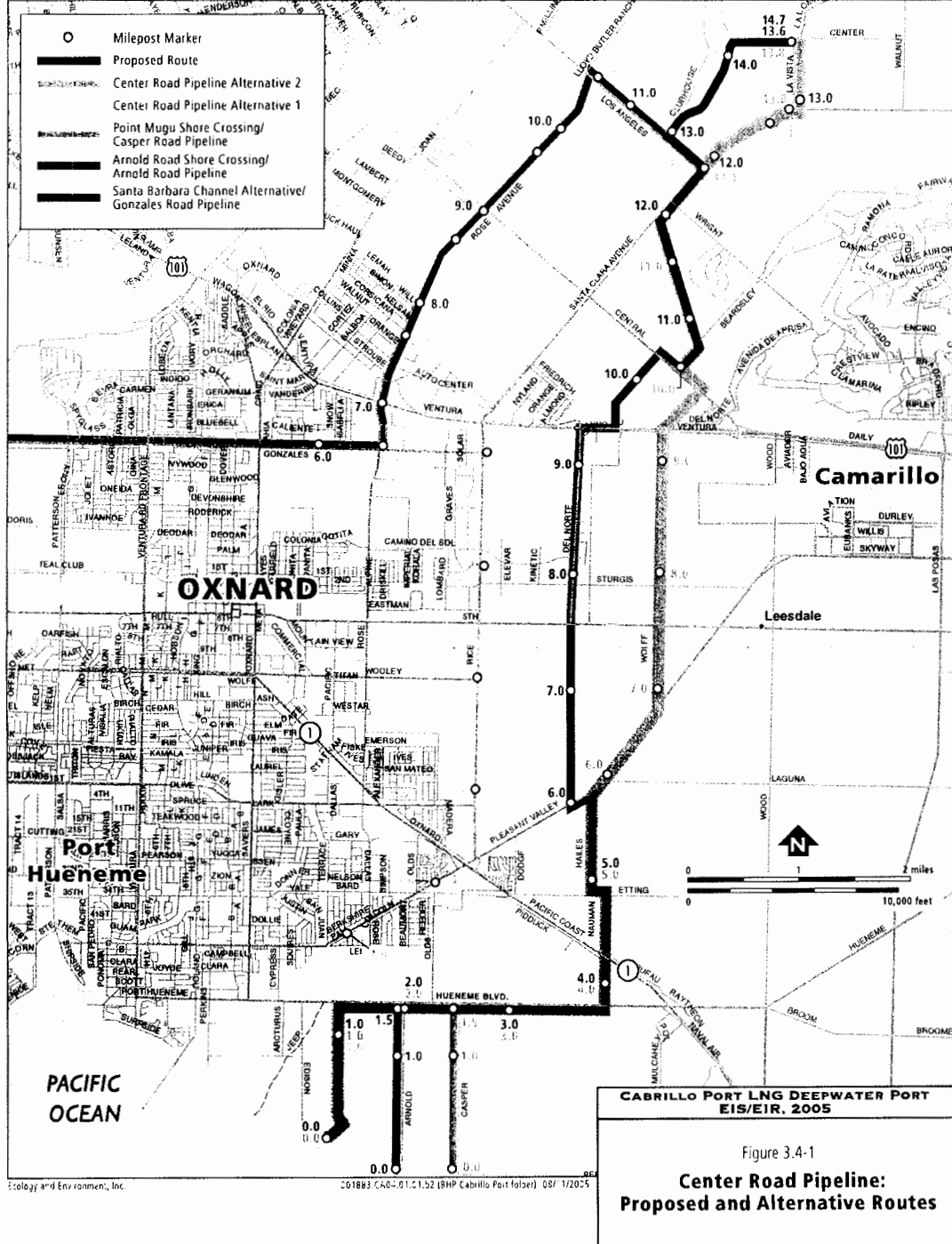
Sincerely,

A handwritten signature in black ink, appearing to read "R. W. Martin", with a stylized flourish at the end.

R. W. MARTIN  
Project Manager  
Deepwater Ports Standards Division  
U.S. Coast Guard  
By direction

Enclosures: (1) Center Road Pipeline: Proposed and Alternative Routes  
(2) Shore Crossing Map BHP Cabrillo Port HDB Shore Crossing Project

Base map source: Figure S.7-1, Transportation - Center Road and Alternative Pipeline Routes, circa, December 9, 2003





# Legend

Proposed HDB Bore Entrances and Exits

Bathymetric Contour (50 m)

Proposed HDB Alignment

Alternative HDB Alignments

Parcels

## Shore Crossings

Reliant Energy

Mandalay Generating Station Shore Crossing

Reliant Energy Ormond Beach Shore Crossing

Arnold Road Shore Crossing

Point Mugu/Casper Road Shore Crossing

CABRALLO PORT LONG DEEPWATER PORT RECIRCULATED EIS/DRAFT EIR

Shore Crossing Map  
BHP Cabrallo Port HDB  
Shore Crossing Project

**U.S. Department of  
Homeland Security**

**United States  
Coast Guard**



Commandant  
United States Coast Guard

2100 Second Street, S.W.  
Washington, DC 20593-0001  
Staff Symbol: G-MSO-5  
Phone: (202) 267-1683  
Fax: (202) 267-4570  
Email: rmartin@comdt.uscg.mil

16613  
September 15, 2005

Mr. Rodney McInnis  
Acting Regional Administrator for Protected Resources  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
U.S. Department of Commerce  
501 West Ocean Boulevard, Suite 4200  
Long Beach, CA 90802-4213

Dear Mr. McInnis:

In October 2004, the U.S. Coast Guard (USCG), in conjunction with the California State Lands Commission (CSLC), published a draft Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the construction and operation of the Cabrillo Deepwater Port Project (Port), a Floating, Storage, and Regasification Unit (FSRU) off the coast of Ventura County in Southern California. Subsequently, the Applicant has changed portions of their application, including portions of the proposed offshore pipeline route, shore crossing, and onshore pipeline route in Ventura County. The document will be recirculated under CEQA.

In accordance with Section 7 of the Endangered Species Act and the Marine Mammals Protection Act, we seek to informally consult with the NOAA Fisheries regarding the presence of marine mammals and threatened and endangered species that may be affected by the proposed changes. The recirculated draft EIR will analyze the impacts of the Proposed Action on protected species. In order to fully assess the potential impacts associated with the Proposed Action on protected resources, we are requesting an updated list of species of concern that occur within the region of influence and a list of any additional concerns that NOAA Fisheries may have regarding the potential impacts of the Proposed Action on federally listed or other sensitive species that are found within the proposed new routes. Maps of the new routes are attached. Please note that the route associated with the Reliant Energy Site is the one that was previously analyzed in the October 2004 draft EIS/EIR. The new route is the one associated with the Point Mugu/Casper Road and Arnold Road shore crossings. We will also consult with the U.S. Fish and Wildlife Service and California Department of Fish and Game regarding the presence of threatened and endangered species under their jurisdiction.

As we stated in the October 2004 EIS/EIR, we do not believe that the Proposed Action would have an adverse impact on essential fish habitat (EFH). However, Daniel Basfa's letter of December 20, 2004 indicates that NOAA believes there could be adverse effects to EFH unless certain mitigation measures are implemented. The Applicant has proposed not to use horizontal directional drilling, but instead has proposed to use horizontal directional boring. No drilling muds are used in this technique. The Applicant would develop a spill prevention and countermeasure as detailed in the Hazardous Material Section of the October 2004 Draft EIS/EIR. In order to operate (if a license is approved), the Applicant will need to comply with

16613  
September 15, 2005

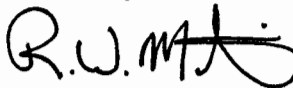
the mandates of all EPA required permits, including a NPDES permit. The Applicant would also be required to comply with all applicable regulations with respect to ballast water exchange. The formal Section 305(b)(4)(B) will be included in the recirculated draft EIR.

We look forward to working with your office on this project. Please send any comments/correspondence to the USCG through one of the following methods:

- (1) By mail to:  
Ms. Joan Lang  
Commandant (G-MSO-5)  
U.S. Coast Guard  
Deepwater Ports Standards Division, Room 1210  
2100 Second Street, SW  
Washington, DC 20593
- (2) Or, by fax at (202) 267-4570
- (3) Or by E-mail to [jlang@comdt.uscg.mil](mailto:jlang@comdt.uscg.mil)

Thank you for your assistance. If you have questions about the proposed establishment of the Cabrillo Deepwater Port Project or about the EIS/EIR please contact me at (202) 267-2498.

Sincerely,



R. W. MARTIN  
Project Manager  
Deepwater Ports Standards Division  
U.S. Coast Guard  
By direction

Enclosure: Shore Crossing Map BHP Cabrillo Port HDB Shore Crossing Project







# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



IN REPLY REFER TO:  
PAS 1603.3685.4439

December 20, 2005

Joan Lang, Commandant  
U.S. Coast Guard  
Deepwater Ports Standards Division, Room 1210  
2100 Second Street, SW  
Washington, D.C. 20593

Subject: Species List for Cabrillo Deepwater Port Project, Ventura County, California

Dear Ms. Lang:

We are responding to your request, dated September 15, 2005, for information on proposed, threatened, or endangered species that may be present in the vicinity of the proposed pipeline routes. In addition, you requested that we informally consult with you regarding the presence of federally listed species that may be affected by the proposed project. The project includes construction of a natural gas pipeline segment in Ventura County that would connect to an offshore floating, storage, and regasification unit. The proposed pipeline routes are located on Ormond Beach in the City of Oxnard and on Ormond Beach East within Point Mugu Naval Base in Ventura County. We understand that the U.S. Coast Guard (Guard) is the lead Federal agency for the project, and that it would assume responsibility under section 7 of the Endangered Species Act of 1973, as amended (Act). Your request and our response are made pursuant to Section 7 of the Act.

The enclosed list of species fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Act. The Guard, as the lead Federal agency for the project, has the responsibility to review its proposed activities and determine whether any listed species may be affected. Because the project is a construction project<sup>1</sup> which requires an environmental impact statement, the Guard has the responsibility to prepare a biological assessment to make a determination of the effects of the action on listed species or critical habitat. If the Guard determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts with respect to

<sup>1</sup> "Construction project" means any major Federal action which significantly affects the quality of the human environment designed primarily to result in the building of structures such as dams, buildings, roads, pipelines, and channels. This includes Federal actions such as permits, grants, licenses, or other forms of Federal authorizations or approval which may result in construction.



Joan Lang

2

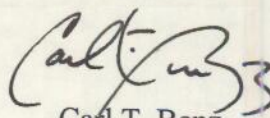
threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the Guard may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

During a telephone conversation on October 27, 2005, involving Rick Farris and Eric Morrisette of our staff, the Guard, the Environmental Protection Agency, and National Oceanic and Atmospheric Administration (NOAA) Fisheries, the Guard indicated that the appropriate determinations had been made in the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the project. The determinations in the EIS/EIR are stated in terms of "significance," not "adverse effects." Thresholds of significance required by the National Environmental Policy Act and the California Environmental Quality Act are not equivalent to the "may affect" or "adverse effect" determinations required by section 7 of the Act. We recommend that you follow the examples that were to be provided to you by NOAA Fisheries (as discussed during the October 27, 2005, conference call) for submitting your determinations and requesting concurrence or initiation of formal consultation.

As stated earlier, because listed species are known to occur in the project area, the next step in the consultation process is for the Guard to prepare a biological assessment and to make a determination as to whether the proposed project may affect any of the species on the enclosed list. The biological assessment may be excerpted from the draft EIS/EIR; however, the effect determinations must be based in the section 7 regulations. Based upon the determinations made by the Guard, we will respond to your request for our concurrence on determinations of "may affect, but not likely to adversely affect," or initiate formal consultation for those species or critical habitat the project is likely to adversely affect.

If you have any questions, please contact Doug Threloff of my staff at (805) 644-1766, extension 327.

Sincerely,



Carl T. Benz  
Assistant Field Supervisor  
Southern Santa Barbara/Ventura/Los Angeles

Enclosure

cc: David Schmidt, EPA Region 9  
Monica DeAngelis, NOAA Fisheries



**FEDERALLY LISTED SPECIES THAT MAY OCCUR IN THE VICINITY OF  
PROPOSED PIPELINE ROUTES FOR THE CABRILLO DEEPWATER PORT  
PROJECT, VENTURA COUNTY, CALIFORNIA**

Salt marsh bird's-beak	<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>	E
Brown pelican	<i>Pelecanus occidentalis</i>	E
Tidewater goby	<i>Eucyclogobius newberryi</i>	E
California least tern	<i>Sterna antillarum browni</i>	E
Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T, CH

**Key:**

E - Endangered  
T - Threatened  
CH - Critical habitat